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Docket No. PRD-42

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bullington, J.L.

Serial No. : 10/670,031

Art Unit: 3661

Filed

: September 24, 2003

Examiner: Not yet assigned

For

: SUBSTITUTED 3-(2,5-DISUBSTITUTED) PYRIDYL-4-ARYL

PYRROLES FOR TREATING INFLAMMATORY DISEASES

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August 4, 2005
(Date of Deposit)

Peter L. Herridge, M.D.

(Name of applicant, assignee, or Registered Representative)

/Peter L Herridge/

(Signature)

August 4, 2005

(Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in $\S1.491$, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required. In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with | the first or \(\sigma\) second After Final Submission, therefore: Statement in Accordance with §1.97(e) (attached); or Please charge Deposit Account No. 10-/ the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

☐ Statement in Accordance with §1.97(e)
(attached); or
Please charge Deposit Account No. 10-
0750/ / the fee of $$180.00$ as set forth
in §1.17(p).
☐ In accordance with §1.97(d), this Information
Disclosure Statement is being filed after the mailing date of
either a Final Action under §1.113 or a Notice of Allowance
under §1.311 but before the payment of the Issue Fee.
Applicant(s) hereby petition(s) for consideration of this
Information Disclosure Statement. Included are: Statement in
Accordance with §1.97(e) as set forth below and the fee of
\$180.00 as set forth in §1.17(p).
Copies of each of the references listed on the
attached Form PTO-1449 are enclosed herewith.
Copies of references listed on the attached Form PTO
1449 are enclosed herewith EXCEPT THAT:
In view of the voluminous nature of references
[list as appropriate], and the likelihood that
these references are available to the Examiner,
copies are not enclosed herewith.
If any of the foregoing publications are not
available to the Examiner, Applicant will
endeavor to supply copies at the Examiner's
request.
Copies of only foreign patent documents and non-
patent literature are enclosed in accordance with 37 CFR 1.98
(a)(2). (The U.S. patents and each U.S. patent application
publication listed on the attached Form PTO-1449 are not

enclosed because this U.S. patent application was filed after June 30, 2003 or this international application has entered the national stage under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i). There are no listed references which are not in the English language. The relevance of those listed references which are not in the English language is as follows: Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D. Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/PRD0042/PLH. This form is submitted in triplicate. Respectfully submitted, _/Peter L Herridge MD/ Peter L. Herridge, M.D. Reg. No. 42,658 Attorney for Applicants Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-5352

DATED: August 4, 2005



PTO/SB/08A (08-00)
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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 1 of 2

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Application Number	10/670,031			
Filing Date	September 24, 2003			
First Named Inventor	Bullington, J.L.			
Group Art Unit	3661			
Examiner Name	Bernhardt, E.B.			
Attorney Docket Number	PRD-0042 US NP			
1				

U.S. PATENT DOCUMENTS

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U.S. Patent Do		ument					
Examiner	Cite		Kind Code ² Name of Patentee or Applicant		Date of Publication of Cited Document	Pages, Columns, Lines, where relevant passages or	
Initials	No.¹	Number	(if known)	of Cited Document	mm-dd-yyyy	relevant figures appear	
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FOREIGN PATENT DOCUMENTS

		Foreign	Patent Documer	Document Name of Patentee or		Date of Publication of Cited Document	Pages, Columns, Lines, where relevant	
Examiner Initials	Examiner Cite Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	T ⁶				
		wo	9532970		Merckie GMBH	12-07-1995		
		wo	0069847		Ortho McNeil Pharm. Inc.	11-23-2000		
		wo	0157042		Striegel Hans Guenter	08-09-2001		
		wo	9716442		Merck & Co. Inc.	05-09-1997		
		wo	9705878		Merck & Co. Inc.	02-20-1997		

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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¹ Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08A (08-00)
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 2 of 2

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Examiner Name	Bernhardt, E.B.			
Attorney Docket Number	PRD-0042 US NP			

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner's Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
		KHIMIYA, Geterotsiklichskikh Soedinenii. vol. 11, 1977, pgs. 1510-1514.	
		KONAKAHARA, T. et al: "One-Pot Synthesis of Pyrroles from N-Silyl-1-Azaallyl Anions". Heterocycles, Elsevier Science Publishers, B.V. Amsterdam, NL, vol. 35, no. 2, 1993, pgs. 1171-1184.	
	ļ	COLONNA, M. "Electron Transfer Processes" Gazzeta Chimica Italiana, vol. 115, 1985, pgs. 187-189	

Examiner	Date	
Signature	Considered	

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SUBMISSION UNDER MPEP 609 D

Application Number	10/670,031			
Filing Date	September 24, 2003			
First Named Inventor	Bullington, J.L.			
Group Art Unit	1624			
Examiner Name	Bernhardt, E.B.			
Attorney Docket Number	PRD-0042 US NP			

Page 1 of 1

		U.S. PAT	TENT DOCUMENTS			
			U.S. Patent Document			Pages, Columns, Lines,
Examiner Cite Initials No.1		Name of Patentee or Applicant of Cited Document	Number	Kind Code ² (if known)		where relevant passages or relevant figures appear
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			PATENT DOCUMENTS		<u> </u>	1

FOREIGN PATENT DOCUMENTS Pages, Columns, Lines, Foreign Patent Document where relevant passages Name of Patentee or or relevant figures Cite Applicant of Cited Document Examiner appear Number⁴ KindCode⁵ Office³ tnitials OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published T² Cite No.1 Examiner Initials* PCT Search Report, PCT/US03/30223, May 2, 2004.

	Date	
Examiner	Considered	
Signature		